

**IN THE
SUPREME COURT OF INDIANA**

AMENDED ORDER AMENDING CODE OF JUDICIAL CONDUCT

Under the authority vested in this Court in matters relating to the discipline and retirement of members of the judiciary, *Canons 3, 4, and 5* of the *Code of Judicial Conduct* are amended to read as follow (deletions shown by ~~striking~~ and new text shown by underlining):

CANON 3.

**A Judge Shall Perform the Duties of Judicial Office
Impartially and Diligently**

...

B. Adjudicative Responsibilities.

...

(5) A judge shall perform judicial duties without bias or prejudice. A judge shall not, in the performance of judicial duties, by words or conduct manifest bias or prejudice, ~~including but not limited to bias or prejudice based upon race, sex gender, religion, national origin, personal characteristics or status~~ disability, sexual orientation, age, socioeconomic status, or similar factors, and shall not permit staff, court officials and others subject to the judge's direction and control to do so.

CANON 4.

**A Judge Shall so Conduct the Judge's Extra-Judicial Activities as to
Minimize the Risk of Conflict With Judicial Obligations**

...

C. Governmental, Civic or Charitable Activities.

(3) A judge may serve as an officer, director, trustee or non-legal advisor of an organization or governmental agency devoted to the improvement of the law, the legal system or the administration of justice, or of an educational, religious, charitable, fraternal or civic organization not conducted for profit, subject to the following limitations and the other requirements of this Code.

...

(b) A judge as an officer, director, trustee or non-legal advisor, or as a member or otherwise:

(i) may assist such an organization in planning fund-raising and may participate in the management and investment of the organization's funds, but shall not personally participate in the solicitation of funds or other equivalent fund-raising activities, except that a judge may solicit funds from other judges over whom the judge does not exercise supervisory or appellate authority;

(ii) may make recommendations to public and private fund-granting organizations on projects, programs and the provision of services;

(iii) shall not personally participate in membership solicitation if the solicitation might reasonably be perceived as coercive or, except as permitted in Section 4C(3)(b)(i), if the membership solicitation is essentially a fund-raising mechanism; and

(iv) shall not use or permit the use of the prestige of judicial office for fund-raising or membership solicitation.

...

CANON 5.

A Judge Or Judicial Candidate Shall Refrain From Inappropriate Political Activity

A. All Judges and Candidates.

...

(4) Within one (1) week of publicly announcing candidacy for election or appointment to judicial office, of declaring or filing as a candidate with the election or appointment authority, or of authorizing the solicitation or acceptance of contributions or support, whichever occurs first, a judge, lawyer, or, where applicable, non-lawyer qualified to hold a judicial office, must notify the Indiana Commission on Judicial Qualifications in writing of the fact of the candidacy, of the office sought, and of the candidate's address or telephone number.

The amendments to Canons 3 and 4 shall take effect April 1, 2002.

The amendment to Canon 5 shall take effect February 6, 2002.

The Clerk of this Court is directed to forward a copy of this Order to the Clerk of each Circuit Court in the state of Indiana; Attorney General of Indiana; Legislative Services Agency and its Office of Code Revision; Administrator, Indiana Supreme Court; Administrator, Indiana Court of Appeals; Administrator, Indiana Tax Court; Public Defender of Indiana; Indiana Supreme Court Disciplinary Commission; Indiana Supreme Court Commission for Continuing Legal Education; Indiana Board of Law Examiners; Indiana Judicial Center; Division of State Court Administration; the libraries of all law schools in this state; the Michie Company; and the West Group.

The West Group is directed to publish this Order in the advance sheets of this Court.

The Clerks of the Circuit Courts are directed to bring this Order to the attention of all judges within their respective counties and to post this Order for examination by the Bar and general public.

DONE at Indianapolis, Indiana, this ____ day of January, 2002.

Randall T. Shepard
Chief Justice of Indiana

All Justices concur.

